

MINUTE
of
EAST RENFREWSHIRE COUNCIL

Minute of meeting held at 5.00pm in the Council Chamber, Council Headquarters, Giffnock on 28 June 2023.

Present:

Councillor Andrew Anderson	Councillor Chris Lunday
Councillor Caroline Bamforth	Councillor David Macdonald (*)
Councillor Tony Buchanan	Councillor Colm Merrick (*)
Deputy Provost Kate Campbell	Provost Mary Montague
Councillor Angela Convery (*)	Councillor Andrew Morrison
Councillor Betty Cunningham (*)	Councillor Owen O'Donnell (Leader)
Councillor Danny Devlin	Councillor Gordon Wallace
Councillor Paul Edlin	

Provost Montague in the Chair

Attending:

Lorraine McMillan, Chief Executive; Louise Pringle, Director of Business Operations and Partnerships; Mark Ratter, Director of Education; Caitriona McAuley, Director of Environment; Julie Murray, Chief Officer - Health and Social Care Partnership; Margaret McCrossan, Head of Accountancy (Chief Financial Officer); Andy Corry, Head of Environment (Operations); Gillian McCarney, Head of Environment (Chief Planning Officer); Julie Nicol, Planning and Building Standards Manager; Suzanne Conlin, Senior Housing Manager; Graeme Smith, Communications Manager; Colin Sweeney, Democratic Services Manager; John Burke, Committee Services Officer (*); and Liona Allison, Assistant Committee Services Officer

(*) indicates remote attendance at some or all of the meeting.

Apologies:

Councillors Annette Ireland, Jim McLean and Katie Pragnell.

DECLARATIONS OF INTEREST

502. There were no declarations of interest intimated.

MINUTE OF MEETING OF THE COUNCIL HELD ON 26 APRIL 2023

503. The Council considered and approved the Minute of the meeting held on 26 April 2023.

MINUTE OF SPECIAL MEETING OF THE COUNCIL HELD ON 26 APRIL 2023

504. The Council considered and approved the Minute of the special meeting held on 26 April 2023.

MINUTES OF MEETINGS OF COMMITTEES

505. The Council considered and approved the Minutes of the meetings of the undernoted:-

- (a) Cabinet – 27 April 2023;
- (b) Appeals Committee – 3 May 2023;
- (c) Cabinet – 11 May 2023;
- (d) Audit and Scrutiny Committee – 11 May 2023;
- (e) Licensing Committee – 16 May 2023;
- (f) Appointments Committee – 17 May 2023;
- (g) Cabinet – 1 June 2023;
- (h) Appeals Committee – 5 June 2023;
- (i) Planning Applications Committee – 7 June 2023;
- (j) Local Review Body – 7 June 2023;
- (k) Education Committee – 8 June 2023;
- (l) Appeals Committee – 9 June 2023;
- (m) Licensing Committee – 13 June 2023;
- (n) Cabinet (Police and Fire) – 15 June 2023;
- (o) Special Cabinet – 19 June 2023; and
- (p) Audit and Scrutiny Committee – 22 June 2023.

STATEMENTS BY CONVENER AND REPRESENTATIVES ON JOINT BODIES AND COMMITTEES

506. The following statements were made:-

- (a) Councillor O'Donnell on behalf of Councillor Pragnell – Convener for Social Work and Health**

HSCP Integration Joint Board

The Integrated Joint Board had met earlier in the day on 28 June 2023. At the meeting, the results of the joint inspection of adult support and protection services had been reported on and described as strong and effective. The inspection had taken place during a time of great challenge with recovery from the COVID-19 pandemic underway. Inspectors had stated that key processes in this area were very effective and demonstrated major strengths. They also felt that leadership was effective. They concluded that the clear strengths, supporting positive experiences for adults at risk of harm, which collectively outweighed the areas for improvement. The IJB asked for their congratulations to all staff to be passed on and the thanks of the Council were added to this.

The Child Poverty Action Plan was approved, which was on the Council's agenda for later in the meeting.

The IJB unaudited annual report and accounts were approved, along with the IJB's medium term financial plan. These documents recognised the significant challenges ahead. The IJB also welcomed the COVID reserve funding from the Council, which had been agreed earlier in the year. The IJB Savings, Recovery and Renewal Programme was also discussed, with an update on progress against the £7m savings requirement for the current year. Half of the target would come from the Supporting People Framework. The IJB also recognised the risk around the national care home contract.

There was a presentation on delayed discharge, which showed East Renfrewshire were consistently in the top 10 areas nationally. Current figures were the lowest for several years.

(b) Councillor Anderson – Convener for Education, Equalities, Culture and Leisure

East Renfrewshire Culture and Leisure Trust

The Culture and Leisure Trust had held a meeting in Neilston and Board members given a tour of leisure facilities in the village, including the leisure centre and library.

At the meeting, the Trust reported that it had made a surplus for 2022/23 thanks to the strong performance of various operations, particularly gyms, swimming, community sports and theatre facilities. Gym memberships were at an all time high, the theatres had broken all of their box-office records and swimming lessons were on target. Councillor Anderson stressed that this was an incredible achievement for the Trust.

Eastwood High School Sports Centre Pool reopening had taken place on 7 May 2023 following its refurbishment. Feedback from customers had been extremely complimentary.

East Renfrewshire Inter-School Sports Competition had taken place on 23 May 2023 with all 7 secondary schools participating. Points were awarded to each school with each competing well. Williamwood High School, who had hosted the competition, had come out as winners in the end.

School Leaver Destinations continued to be strong, with 97.5% of 2021/22 school leavers still in a positive destination, this was the Council's best ever performance and well above the national average of 93.5%. It was further noted that 100% of leavers from Barrhead High School were in a positive destination. All 7 secondary schools were congratulated for their efforts throughout the year.

(c) Councillor O'Donnell – Leader of the Council

Retirement of Chief Executive, Lorraine McMillan

Councillor O'Donnell made a brief statement to recognise the work of outgoing Chief Executive, Lorraine McMillan, on this, her last meeting of the Full Council. He recognised that Mrs McMillan's efforts had contributed to East Renfrewshire Council's position as one of the best run councils in Scotland and, more importantly, had contributed to improving the lives of people across East Renfrewshire.

Councillor O'Donnell listed many of the achievements during Mrs McMillan's tenure as Chief Executive and offered, on behalf of the Council, his congratulations on her retirement and best wishes for the future.

The Provost also put on record her congratulations on Mrs McMillan's retirement and, in particular, highlighted the significance of her appointment as only the fifth woman to be appointed as a Chief Executive at one of Scotland's councils.

Mrs McMillan responded and thanked all of the staff and elected members at the Council for their work during her time as Chief Executive.

Council noted the statements.

PROVOST'S ENGAGEMENTS

507. The Council considered a report by the Director of Business Operations and Partnerships, providing details of civic engagements attended and civic duties performed by Provost Montague since the previous meeting of the Council, held on 26 April 2023.

Council noted the report.

GENERAL FUND CAPITAL PROGRAMME

508. The Council considered a report by the Head of Accountancy (Chief Financial Officer), which recommended adjustments to the 2023/24 General Fund Capital Programme that had resulted from finalisation of the previous year's programme and in light of subsequent information.

The report also provided details on a shortfall of £180,000 due to rising construction costs and general inflation. Project expenditure was being monitored to ensure that any additional cost pressures on key projects could be covered by deferring or reducing other projects to compensate.

Council:

- (a) Noted and approved the movements within the Programme; and
- (b) Noted the shortfall of £180,000 and that income and expenditure on the Programme be managed and reported on a regular basis.

HOUSING CAPITAL PROGRAMME

509. The Council considered a joint report by the Head of Accountancy (Chief Financial Officer) and Director of Environment, which recommended adjustments to the 2023/24 Housing Capital Programme that had resulted from finalisation of the previous year's programme and in light of subsequent information.

The report also provided information on transfers of funds to enable the Communal Door Entry Project to proceed, as well as a shortfall of £188,000 due to rising construction costs and general inflation. Project expenditure was being monitored to ensure that any additional cost pressures on key projects could be covered by deferring or reducing other projects to compensate.

Council:

- (a) Noted and approved the current movements within the programme;
- (b) Approved a transfer of £53,000 from Estate Works and £78,000 from Internal Elements Renewal to fund the Communal Door Entry Project; and
- (c) Noted the shortfall of £188,000 and that income and expenditure on the programme, be managed and reported on a regular basis.

STRATEGIC END-YEAR PERFORMANCE REPORT AND ANNUAL COMMUNITY PLANNING AND FAIRER EAST REN REPORT FOR 2022-2023

510. The Council considered a report by the Chief Executive on the performance of the Council and Community Planning Partnership and to demonstrate how the Council was meeting its strategic outcomes.

The report summarised:

- the Council's strategic performance at end-year 2022-2023 based on performance indicators in the Outcome Delivery Plan (ODP) including the annual update on complaints handling
- the 2022-23 annual progress report on the Community Plan, including Fairer East Ren (Local Outcome Improvement Plan)
- a selection of case studies to illustrate good partnership working and practice across each strategic outcome

Councillor O'Donnell, in presenting the report, pointed out that there had been some errors in the reporting of staff absences and revised figures would be provided at a later stage.

Discussion took place around the item, with Councillor Wallace asking about comparator information in terms of how this information looked in context of performance by other Councils. The Director of Business Operations and Partnerships indicated that she would provide the Councillor with further information on the provision of comparator information. Councillor Morrison also requested comparator information in relation to complaints.

Councillor Wallace also sought clarity in terms of male life expectancy in East Renfrewshire and the Chief Officer – Health and Social Care Partnership advised that she would provide further information in that regard to the Councillor.

Councillor Edlin asked for clarification on the number of people whose care need was reduced due to rehabilitation and the Chief Officer – Health and Social Care Partnership agreed to provide clarification on that issue. She indicated that there had been significant pressure on the service and the service users were coming forward with more significant needs which were less able to be rehabilitated.

Councillors also remarked on park footfall and support for children in less affluent areas.

Councillor O'Donnell, in response to a point raised in the discussion, noted that there were currently no plans for a premature closure of Neilston Leisure Centre, with various options still under consideration for the retention and refurbishment of the facility.

Council noted:

- (a) the summary of the Council's strategic performance at end year 2022/2023 at Annex 1 of the report;
- (b) the Community Plan and Fairer East Ren Annual Progress Report for 2022/2023 at Annex 2 of the report;
- (c) the case studies presenting progress under each strategic outcomes at Annex 3 of the report;
- (d) the complaints handling report 2022/2023 at Annex 4 of the report;
- (e) that the Director of Business Operations and Partnerships would come back to Councillor Wallace on whether or not all Local Authorities now submit

information to the National Complaint Network and to Councillor Morrison with comparator information in relation to complaints;

- (f) that the Chief Officer – Health and Social Care Partnership would provide additional information to Councillor Wallace on life expectancy rates;
- (g) that the Chief Officer – Health and Social Care Partnership would provide information on the numbers of people whose care need had reduced through rehabilitation to Councillor Edlin; and
- (h) that the Director of Business Operations and Partnerships would bring comparator data on complaints to a future meeting and ensure that the Mid-Year Update provided more analysis on this data.

LOCAL CHILD POVERTY ACTION REPORT: YEAR 5 (2022/23)

511. The Council considered a joint report by the Director of Business Operations and Partnerships and the Chief Officer – Health and Social Care Partnership on the fifth East Renfrewshire Local Child Poverty Action Report, required by the Child Poverty (Scotland) Act 2017.

In discussing the report, the challenge in terms of the cost of the school day, particular in reference to the purchase of school uniforms, was raised and the Director of Education offered some further information on that point.

Council:

- (a) Noted the Local Child Poverty Action Report: Year 5, as required under the Child Poverty (Scotland) Act 2017; and
- (b) Approved the report for publication, subject to IJB and NHS Greater Glasgow and Clyde CMT approval.

VISION FOR THE FUTURE

512. The Council considered a report by the Chief Executive on progress to develop the Council’s long-term strategic “Vision for the Future” and sought approval for the next stage of development.

Council:

- (a) Noted the engagement to date and that the Vision for the Future would be developed around the three themes of “Children and Young People”, “Communities and Place” and “Promoting Wellbeing and Supporting the Vulnerable”;
- (b) Agreed further work be done to develop those themes into three clearly defined, high-level objectives;
- (c) Agreed, in principle, the outline timeline set out in paragraph 22 of the report; and

- (d) Agreed that East Renfrewshire Council move from five capabilities to three: Prevention; Empowering Communities; and Digital Change, as set out in paragraph 9 of the report.

LOCAL DEVELOPMENT PLAN 3 (DEVELOPMENT PLAN SCHEME)

513. The Council considered a report by the Director of Environment on the proposal to submit the Development Plan Scheme to Scottish Ministers.

The proposed Development Plan Scheme and Participation Statement, attached as Appendix 1 to the report, was presented to the Council for approval.

Council:

- (a) Approved the proposed Development Plan Scheme for publication and submission to Scottish Ministers; and
- (b) Delegated to the Director of Environment to approve any minor, inconsequential changes to the documents, in line with Council policy, prior to submission to Scottish Ministers.

SECOND REVIEW OF SCOTTISH PARLIAMENTARY BOUNDARIES

514. The Council considered a report by the Chief Executive on the Council's proposed response to Boundaries Scotland regarding the proposals to change the Scottish Parliamentary Constituencies as they affected East Renfrewshire.

In discussing the report, some concern was expressed in terms of the proposed changes. However, it was highlighted that this review was part of planned work by Boundaries Scotland and was part of due process.

Council agreed that the response, as set out in Appendix 1 to the report, be submitted to Boundaries Scotland as the Council's initial response to the consultation on the review of Scottish Parliamentary Boundaries.

REVIEW OF FINANCIAL REGULATIONS

515. The Council considered a report by the Head of Accountancy (Chief Financial Officer) on the review of the Financial Regulations.

In discussion, Councillor Morrison welcomed the additional measures outlined in paragraph 7 of the report and thanked the Council's Finance team for their work on this and other reports.

The Council approved the content of the revised Financial Regulations.

CHANGES TO SCHEME OF DELEGATION – PROPER OFFICER

516. The Council considered a report by the Director of Business Operations and Partnerships, which proposed to amend the Council's Scheme of Delegation to provide for substitute proper officers in the event that the Chief Officer – Legal and Procurement was unavailable to sign formal documentation on behalf of the Council.

Council approved:

- (a) New delegations to the Director of Business Operations and Partnerships and the Chief Officer – Health and Social Care Partnership to act as substitute proper officers in the event of the Chief Officer – Legal and Procurement being unavailable; and
- (b) That the following paragraph be inserted in the Scheme of Delegation as new paragraphs 10(c) and 42(h), the following words to give effect to those delegations.

“in the absence of the Chief Officer – Legal and Procurement, to act as proper officer for the purposes of the Local Government (Contracts) Act 1997 and section 193 of the Local Government (Scotland) Act 1973 and to execute all deeds and similar documents which require to be executed.”

SPORTS PITCHES TRANSFER PROJECT

517. The Council considered a joint report by the Director of Education and Director of Environment on progress with the Sports Pitches Transfer Project and seeking approval for the various actions required to complete the formal transfer of the agreed group of assets to East Renfrewshire Culture and Leisure Trust (ERCL)

The Chief Executive clarified that members of the Trust should be noted as having an interest in this item, however they could still participate in the item. Councillors Anderson, Edlin, Merrick and O'Donnell noted their interest in the item at this time.

Council:

- (a) Approved the operational outline agreement summarised in paragraph 11 of the report;
- (b) Authorised the Director of Education and the Director of Environment to complete negotiations with Trade Unions with regard to the transfer of affected staff to ERCL under TUPE regulations;
- (c) Agreed the Service Level Agreement attached to the report;
- (d) Noted that ERCL had moved from the annex building at St John's Primary School to the Dickie Building and that the Transfer Agreement be updated to reflect this; and
- (e) Authorised the Director of Education, in conjunction with the Chief Officer – Legal and Procurement, to finalise and conclude the legal documentation necessary to give effect to the transfer.

CHANGES TO ORGANISATIONAL STRUCTURE

518. The Council considered a report by the Director of Business Operations and Partnerships, which sought approval for a proposed restructure of Head of Service remits within the Environment Department and approval for the establishment of an Appointments Committee for the Head of ICT and Resilience post.

Full details of the proposed changes and new structures were set out in the appendices to the report.

Council:

- (a) Approved the changes to the Head of Service remits within the management structure in the Environment Department and further delegated authority to the Director of Environment to make further minor adjustments as required;
- (b) Approved the recruitment procedure for the position of Head of ICT and Resilience as detailed in the report;
- (c) Agreed that an Appointments Committee comprising the Convener, Provost, Deputy Leader and one member from each of the SNP and Conservative Party Groups be established for the purposes of (b);
- (d) Delegated to the Head of HR and Corporate Services, in consultation with the Director of Business Operations and Partnerships and the Director of Environment, to make the necessary arrangements; and
- (e) Authorised the Director of Business Operations and Partnerships to put in place appropriate interim management arrangements for the Department.

CALENDAR OF MEETINGS 2024 AND CHANGE OF DATE OF MEETING OF THE COUNCIL IN SEPTEMBER 2023

519. The Council considered a report by the Director of Business Operations and Partnerships, which sought approval of the Calendar of Meetings 2024 (attached as Appendix 1 to the report), and that the meeting of the Council currently scheduled to be held on Thursday 28 September 2023 be rescheduled to Tuesday 26 September 2023.

Council:

- (a) Approved the 2024 calendar of meetings, as detailed in Appendix 1 to the report;
- (b) Approved that the meeting of the Council scheduled to be held on Thursday 28 September 2023 be rescheduled to 4.00pm on Tuesday 26 September 2023; and
- (c) Noted the draft dates of meetings of the Integration Joint Board.

Resolution to Exclude Press and Public

RESOLVED that, the press and public be excluded from the meeting for the remaining item of business, in accordance with Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 9 of Part 1 of Schedule 7A to the Act.

SALE OF HOUSING REVENUE ACCOUNT LAND AT BARRHEAD SOUTH

520. The Council considered an exempt report by the Director of Environment on the marketing of the land located at Springfield Road, Barrhead (held in the Housing Revenue Account (HRA)) and recommended progression of the disposal of the land to Cala Homes.

574

Council agreed to delegate to the Director of Environment, in consultation with the Chief Officer – Legal and Procurement, to progress and complete the disposal of the land located at Springfield Road, Barrhead, according to the terms outlined in the exempt report.

PROVOST